



## PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Office of the Insurance Commissioner

**Subject of possible rule making:** Joint Underwriting Association for Midwifery and Birthing Centers Malpractice Insurance

Insurance Commissioner Matter No. R 2010-02

**Statutes authorizing the agency to adopt rules on this subject:** RCW 48.02.060 and RCW 48.87.100

**Reasons why rules on this subject may be needed and what they might accomplish:** The current rule limits the entity that may act as the administrator for the Midwife JUA to an authorized insurer. Under this rule making, the Commissioner will consider options that will: amend the existing rule to allow other entities to act as the administrator for the JUA, to allow the JUA Board the discretion to indemnify the servicing company for acting on its behalf, to change the composition of the Board of the Directors, to change the reporting requirements of the JUA, to change the circumstances under which the Board may refuse or cancel coverage for a licensee, update citations and terms which have changed as result of statutory amendments, set forth the order of distribution of the assets of the JUA upon dissolution, and allow the JUA to distribute excess reserves.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
None

**Process for developing new rule (check all that apply):**

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) Submit written comments by: April 16, 2010 to:

Jim Tompkins

PO Box 40258

Olympia, WA 98504-0258

Email: [jimt@oic.wa.gov](mailto:jimt@oic.wa.gov)

Fax: 360-586-3109

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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Olympia, WA 98504-0258

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Fax: 360-586-3109

**DATE**

March 1, 2010

**NAME (TYPE OR PRINT)**

Mike Kreidler

**SIGNATURE**

**TITLE**

Insurance Commissioner

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STATE OF WASHINGTON  
FILED

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**WSR 10-06-082**